

CHAPTER 8.11
SOCIAL GAMING

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SECTION 8.11.000 TITLE

These regulations shall be known as the “City of Corvallis Social Gaming Code” and may be cited as such.

SECTION 8.11.010. SOCIAL GAMES PERMITTED

Social games, other than a lottery, between players in a private business, private club or in a place of public accommodation where no house player, house bank or house odds exist and there is no house take (meaning no house income from the operation of the social game), are hereby permitted as provided herein.

SECTION 8.11.020. DEFINITIONS

Unless the context requires otherwise, all terms set forth in this Ordinance shall have the same meaning as set forth in ORS 167.117.

SECTION 8.11.030. LICENSE REQUIRED FOR SOCIAL GAMES

Any person(s), business, private club, non-profit organization or place of public accommodation desiring to permit patrons or invitees to engage in any social game within the

City of Corvallis shall acquire and maintain a valid license from the City. Licenses shall be granted only upon application to the City and upon approval by the City Manager.

SECTION 8.11.040. APPLICATION FOR LICENSE AND INVESTIGATION

SECTION 8.11.041. APPLICATION REQUIREMENTS

Before a license for social gaming may be granted by the City Manager, an applicant must submit an application for a license to the City Manager with the following information and allow an investigation to be made thereon. A completed application form must include the true names, dates of birth, social security numbers and addresses of all persons financially interested in the business and/or all persons who are either on the board of directors of or hold offices in the entity or organization. The term "persons financially interested in the business" shall include all persons who share in the profits of the business where the social gaming activity is located, on the basis of gross or net revenue, including landlords, lessors, lessees, and the owners of the building, fixtures or equipment used in the social game. The application shall also include the names, dates of birth, social security numbers and addresses of all tournament sponsors if different from persons financially interested in the business.

SECTION 8.11.042. APPLICATION RENEWAL

The grantee of a social gaming license must notify the City Manager within 10 days of any change in persons financially interested in the business or in the names of any persons who are either on the board of directors of or hold offices in the entity or organization and request a renewal of its license. At the time of such request, the applicant shall submit the information required by Section 8.11.041.

SECTION 8.11.050. LICENSE FEE

For each business or other entity or organization licensed, an annual \$50.00 fee shall be required. The City Council may modify this fee at any time.

SECTION 8.11.060. STANDARDS FOR ISSUANCE OF LICENSE

The City Manager shall either approve the application and grant the license applied for, or deny the application and refuse to grant the license. The license shall not be granted, or it shall be temporarily revoked or suspended, if any applicant or any person(s) financially interested in the business, entity or organization have:

- 1) Supplied any false or misleading information in the application or omitted any requested information from the application;
- 2) Pleaded no contest to or been convicted of any felony within the last ten (10) years;
- 3) Had a license in his/her name which was revoked or suspended three (3) times by the Oregon Liquor Control Commission, either of which was in the last (5) years;
- 4) Been convicted and is currently on parole for any crime involving or related to gambling;

- 5) Had two (2) or more convictions within five (5) years for gambling-related activities;
or
6) Violated any provision of this Ordinance.

SECTION 8.11.070. LICENSE NOT TRANSFERABLE

No license shall be assigned or transferred; any such attempt shall void the license.

SECTION 8.11.080. RESPONSIBILITIES OF LICENSEE

It shall be the responsibility of the licensee to ensure that:

- 1) No form of unlawful gambling is permitted upon the licensed premises.
- 2) Social games are conducted consistent with the provisions of state law, city ordinances and this section.
- 3) There shall be no house player, house bank or house odds, and there shall be no house income from the operation of the social game.
- 4) All social games shall be open to public inspection during all hours of operation.
- 5) There are no off-premises signs advertising gambling, card playing, or social games.
- 6) The playing of all social games shall be so arranged as to provide equal access and visibility to any interested party.
- 7) No person under the age of eighteen (18) years shall be permitted to participate in a social game.
- 8) No charge, other than an entry fee, shall be collected from a player for the privilege of participating in a game.
- 9) No participant in a social game shall be charged a price for any consumer goods which is higher or lower than the price charged non-participants.
- 10) This Chapter 8.11, the rules for the social games, and the social gaming licenses are posted in a conspicuous place near the area where the games are being played.
- 11) The room or enclosure where the social games take place is open to free and immediate access by law enforcement officers. Doors leading into the room or enclosure remain unlocked during all hours of operation.
- 12) No social game is conducted between the hours of 2:00 am and 10:00 am.

SECTION 8.11.081. TOURNAMENT FORMAT REQUIRED

All social games shall utilize a tournament format. A tournament format shall include:

- 1) A set entry fee.
- 2) Players in card games shall receive in-game currency represented by chips (poker type) which shall be non-redeemable.
- 3) Participants shall compete for awards corresponding to a participant's relative standing at the conclusion of the tournament.
- 4) All entry fees and monies taken in for the tournament shall be paid back to the contestants at the conclusion of the tournament.

SECTION 8.11.090. TERMS OF LICENSE

All licenses issued hereunder shall be for a period of one (1) year and shall be renewed on the first business day of January of each year. Licenses are nontransferable and must be reapplied for at least thirty (30) days prior to the renewal date each year accompanied by the appropriate fee. All persons securing a license after first business day of January each year shall be required to pay the total annual fee of \$50.00. All renewals shall be approved by the City Manager.

SECTION 8.11.100. REVOCATION OF LICENSE

A license is subject to revocation at any time for violation of this Ordinance or any of the provisions of state law related to gambling. If at any time facts arise or become known to the City Manager which are sufficient to show violation of this ordinance or state law, the City Manager shall notify the licensee in writing that the license is to be revoked and that all social gaming activities must cease within fifteen (15) days. The violations need not lead to a conviction, but must establish a reasonable doubt about the licensee's ability to perform the licensed activity without danger to property or public health or safety. The notice of revocation shall state the reason for the revocation, set a period of no less than 30 days before social gaming activities can recommence and inform the licensee of the procedures for filing an appeal.

SECTION 8.11.110. SUSPENSION OF LICENSE

Upon determining that a licensed activity presents an immediate danger to person or property, the City Manager may suspend the license for the activity. The suspension shall take effect immediately on notice being received by the licensee, or being delivered to the licensee's business address as stated on the licensee's application for the license that is being suspended. The notice shall be mailed to the licensee and state the reason for the suspension and inform the licensee of the procedures for filing an appeal. The City Manager may continue the suspension for as long as the reason for the suspension exists or until a decision by the appellate authority on an appeal regarding the suspension concludes the matter.

SECTION 8.11.120. PENALTIES

In addition to the suspension or revocation of any license hereunder, any licensee, firm, corporation, association or person(s) associated with licensee who violates any provision of this ordinance, may, upon conviction, be fined in the amount not to exceed Five Hundred and no/100 Dollars (\$500.00) for each violation. Each day that a violation is permitted to occur is considered a separate violation.

SECTION 8.11.130. SAVINGS CLAUSE

If any section, subsection, provision, clause or paragraph of this ordinance shall be adjudged or declared by any court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect the validity of the remaining portions of this ordinance; it is hereby expressly declared that every other section, subsection, provision, clause or paragraph

of this ordinance enacted, irrespective of the enactment or validity of the portion hereof declared to be unconstitutional or invalid, is valid.

SECTION 8.11.140. PERIODIC REVIEW DATE

This ordinance shall be reviewed by the City Council on or about one year from the date this ordinance takes effect.

